1 THE HONORABLE THOMAS S. ZILLY 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 8 9 BUNGIE, INC., No. 2:21-cy-811-TSZ 10 Plaintiff, DECLARATION OF CHRISTIAN MARCELO IN SUPPORT OF BUNGIE, 11 v. INC.'S RESPONSE TO DEFENDANTS' 12 MOTION FOR RELIEF FROM DEADLINE AIMJUNKIES.COM; PHOENIX DIGITAL GROUP LLC; DAVID 13 SCHAEFER; JORDAN GREEN; JEFFREY CONWAY; and JAMES MAY, 14 Defendants. 15 16 I, Christian Marcelo, declare as follows: 17 I am an attorney licensed to practice law before the courts of the State of 18 Washington. I am an attorney at Perkins Coie LLP, and counsel in this action for Plaintiff Bungie, 19 Inc. ("Bungie" or "Plaintiff"). I submit this declaration in support of Bungie, Inc.'s Response to 20 Defendants' Motion for Relief from Deadline. I have personal knowledge of the facts stated herein 21 and, if called upon, could and would testify competently thereto under oath. 22 2. Attached hereto as Exhibit 1 is a true and correct copy of an email exchange 23 between myself and Defendants' counsel on November 8 and 9, 2022. 24 3. Bungie served its expert reports on Defendants in accordance with the case 25 schedule on November 21, 2022. 26

MARCELO DECL. ISO BUNGIE'S RESP. TO DEFS.' MOTION FOR RELIEF FROM DEADLINE (No. 2:21-cv-811-TSZ) – 1

Perkins Coie LLP 1201 Third Avenue, Suite 4900 Seattle, WA 98101-3099 Phone: 206.359.8000 Fax: 206.359.9000

1	4. Attached hereto as Exhibit 2 are true and correct copies of excerpts from the March
2	20, 2023 30(b)(6) deposition of David Schaefer as the corporate representative of Phoenix Digital
3	Group, LLC.
4	5. Attached hereto as Exhibit 3 is a true and correct copy of an email exchange
5	between William Rava and Defendants' counsel from April 11 through April 17, 2023.
6	6. Defendants served written discovery requests in this matter on Bungie on June 23,
7	2022, August 12, 2022, March 14, 2023, and March 31, 2023.
8	
9	I declare under penalty of perjury under the laws of the United States that the foregoing is
10	true and correct.
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12	Executed this 10th day of May, 2023.
13	/s/ Christian W. Marcelo Christian W. Marcelo
14	Christian W. Marcelo
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